

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED for Abq
JUL 29 2009
JOHN F. CORCORAN, CLERK
BY: John F. Corcoran
DEPUTY CLERK

UNITED STATES OF AMERICA,)
v.) Case No. 5:05CR00024
DAWN DEIBERT,) (Case No. 5:09CV80165)
Defendant.) FINAL JUDGMENT AND ORDER
) By: Glen E. Conrad
) United States District Judge

For the reasons stated in the memorandum opinion entered this day, it is

ADJUDGED AND ORDERED

as follows:

1. Petitioner's motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255 (Dkt. No. 106) is hereby **DISMISSED** without prejudice, and the Clerk is directed to terminate CASE NO. 5:09CV80165 accordingly;
2. Petitioner's other motions (Dkt. No. 105 and 109) are **DENIED**; and
3. This action is hereby **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this judgment and order to the defendant and to counsel of record for the government.

ENTER: This 29th day of July, 2009.

Frank Carson
United States District Judge